REMARKS

Reconsideration of this application is respectfully requested.

Claims 16-27 are pending in this application. It is gratefully acknowledged that the Examiner has withdrawn the previous rejections to the pending claims in consideration of our previous remarks.

In the Office Action, Claims 21-25 were rejected under 35 U.S.C. §103(a) as being anticipated by *John* (U.S. Patent No. 6,216,106) in view of *Itoh et al.* (U.S. Patent No. 5,280,521), Claims 16-19 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over *John* in view of *Itoh*, and further in view of *Choksi et al.* (U.S. Patent No. 6,477,243), Claim 20 was rejected under 35 U.S.C. §103(a) as being unpatentable over *John* in view of *Itoh*, further in view of *Choksi* and *DeGiorgio et al.* (U.S. Patent No. 3,866,206), and Claim 26 was rejected under 35 U.S.C. §103(a) as being unpatentable over *John* in view of *Itoh*, and further in view of *DeGiorgio*.

With regard to independent Claims 16 and 21, as previously stated these claims recite the steps of generating and transmitting, *by the called mobile station*, a confirmation message indicating the confirmation by the called party *to the calling mobile station*. However, it is respectfully submitted that *John* in view of *Itoh* does not teach this feature of the present invention.

More specifically, the newly cited reference, *Itoh*, discloses that if a called terminal receives a message from a calling terminal, the called terminal transmits an answering signal to enable the calling signal to check if the called terminal correctly receives the message. That is, the calling terminal cannot check if the called terminal has confirmed the message, but can only check that the message is received in the called terminal.

Further, although John teaches notifying a calling party of a message confirmation of a called party, it is only by a confirmation message generated in a server, after a request is made by the calling party.

Therefore, assuming that these references are combinable with each other, when a called terminal confirms a message, a confirmation message is generated and stored in a server, not directly transmitted to a calling terminal. Accordingly, based on the combination of these references, the calling terminal must then transmit a request for message confirmation in order to receive the message confirmation of the called terminal from the server. However, as recited in to independent Claims 16 and 21, when a called party confirms a message, a confirmation message is directly transmitted to the calling party. Therefore, it is not necessary to store the confirmation message in a separate server, as is necessary in the combination of *John* in view of *Itoh.*

Accordingly, it is respectfully submitted that the Examiner is incorrect in rejecting Claims 16 and 21, and it is respectfully submitted that independent Claims 16 and 21 are patentably distinct from the cited art as previously cited by the Examiner. Therefore, it is respectfully requested that the rejections of independent Claims 16 and 21 be withdrawn.
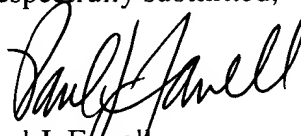
Based on the arguments presented above, it is respectfully submitted that independent Claims 16 and 21 are in condition for allowance. Without conceding the patentability per se of pending dependent Claims 17-20 and 22-27, they is likewise believed to be allowable by virtue of their dependence on independent Claims 16 and 21. Accordingly, reconsideration and withdrawal of the rejections of the dependent claims are respectfully requested.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claims 16-27 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

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